

United States District Court
Southern District of Florida
 FT. LAUDERDALE DIVISION

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

v.

Case Number: 00-6285-CR-SEITZ

RAYNOR E. JAMES

Counsel For Defendant: Carl H. Lida, Esq.

Counsel For The United States: Kathleen Rice, Esq.

Court Reporter: David Ehrlich

The defendant pleaded guilty to Count One of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s) which involves the following offense(s):

<u>TITLE/SECTION NUMBER</u>	<u>NATURE OF OFFENSE</u>	<u>DATE OFFENSE CONCLUDED</u>	<u>COUNT</u>
21 U.S.C. § 846	Conspiracy to Distribute at least Five Kilograms of Cocaine	September 20, 2000	One

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Count(s) Two is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No. 595-76-5974

Defendant's Date of Birth: October 10, 1954

Def't's U.S. Marshal No.: 55483-004

Date of Imposition of Sentence:

April 9, 2001

Defendant's Mailing Address:

590 S.W. 27 AVE., #4

Ft. Lauderdale, FL 33312

Defendant's Residence Address:

590 S.W. 27 AVE., #4

Ft. Lauderdale, FL 33312

PATRICIA A. SEITZ
 United States District Judge

April 9, 2001

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DEFENDANT: RAYNOR E. JAMES
CASE NUMBER: 00-6285-CR-SEITZ

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **26 Months**.

The Court recommends to the Bureau of Prisons:

Minimum security in So. Florida or Florida

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

DEFENDANT: RAYNOR E. JAMES
CASE NUMBER: 00-6285-CR-SEITZ

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term **3 years**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.
The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below).

The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISED RELEASE

The defendant shall also comply with the following additional conditions of supervised release:

- At the completion of the defendant's term of imprisonment, the defendant shall be surrendered to the custody of the Immigration and Naturalization Service for deportation proceedings consistent with the Immigration and Nationality Act.

If deported, the defendant shall not reenter the United States without the express permission of the United States Attorney General. The term of supervision shall be non-reporting if the defendant resides outside the United States. If the defendant should reenter the United States within the term of supervised release, the defendant is to report to the nearest United States Probation Office within 72 hours of his or her arrival.

DEFENDANT: RAYNOR E. JAMES
CASE NUMBER: 00-6285-CR-SEITZ

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Restitution</u>
\$100.00	\$	\$

The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: RAYNOR E. JAMES
CASE NUMBER: 00-6285-CR-SEITZ

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

A. Lump sum payment of **\$100.00** due immediately.

Unless the court has expressly ordered otherwise in the special instructions above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The fine/restitution is payable to the U.S. COURTS and is to be addressed to:

**U.S. CLERK'S OFFICE
ATTN: FINANCIAL SECTION
301 N. MIAMI AVENUE, ROOM 150
MIAMI, FLORIDA 33132**

The fine/restitution is payable immediately. The U.S. Bureau of Prisons, U.S. Probation Office and the U.S. Attorney's Office are responsible for the enforcement of this order.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.

DEFENDANT: RAYNOR E. JAMES
CASE NUMBER: 00-6285-CR-SEITZ

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except (see attachment, if necessary): Defendant not given two level enhancement for firearm. Defendant given minor role minus two levels. Court granted 5K1.1 motion.

Guideline Range Determined by the Court:

Total Offense Level:	25
Criminal History Category:	I
Imprisonment Range:	57 to 71 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$10,000.00 to \$4,000,000.00

Fine is waived or is below the guideline range, because of inability to pay.

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

UNITED STATES DISTRICT COURT

301 NORTH MIAMI AVENUE
FIFTH FLOOR
MIAMI, FLORIDA 33128-7788

PATRICIA A. SEITZ
DISTRICT JUDGE

(305) 523-5530

March 15, 2001

NOTICE TO ATTORNEYS AND LITIGANTS

On Monday, March 19, 2001, this division of Court shall fully implement and commence utilization of the FAXBACK program. This program will permit the Clerk of Court to transmit via telefax copies of all orders, judgments and notices of scheduled court hearings to all parties listed on the Court docket who have provided their fax number to the Clerk.

If you have a fax machine but have not been receiving copies of the documents referred to above via facsimile, please complete the attached authorization and fax or mail it to the Clerk of Court.

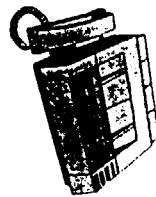
If you do not have a fax machine, copies of the Court orders will be sent to you by regular U.S. mail.

For the FAXBACK system to become fully implemented, all original proposed orders (submitted with motions) must include a current Service List containing the following information:

Name of Attorney (or Pro Se Litigant)
Name of Firm (if applicable)
Mailing Address
Phone Number
Fax Number
Counsel for (identify party)

The FAXBACK program will, in addition to the other obvious advantages, effectuate a substantial saving to counsel in that it eliminates the need to furnish addressed, postage-paid envelopes with every motion, as has been required in the past under Local Rules.

If you need more information, please call (305) 523-5212. The Court appreciates your cooperation in the implementation of this new service to the Bar.



A FAX in Time

Save time by receiving orders and judgments via fax. Here is how it works:

1. Attorneys who participate in this program authorize the Clerk of Court to fax:
 - ▶ copies of orders
 - ▶ judgments
 - ▶ notices entered in civil cases
 - ▶ notices entered in criminal cases
2. Faxes are sent directly to the firm's fax number in lieu of mailing a copy of the order.
3. The Clerk's Office maintains a report confirming receipt by parties of the electronic notice.
4. If the Clerk is unable to confirm receipt of the electronic notice, a notice by mail will be effected the following business day.



Sign-Up Today

To sign-up:

1. Complete the attached response form.
2. Stamp and mail the form back to us.

--- OR ---

Fax the form to the Clerk's Office at:
(305) 523-5289

For more information, call:
(305) 523-5212

Please Note: The Court needs to be promptly notified in writing of any address, firm, phone or fax number change in **each** of your active cases.

Authorization to Send Orders and Judgments by Facsimile Transmission

I authorize the Clerk of Court for the Southern District of Florida to transmit notification of entries of judgments, orders, and notices of hearings by facsimile transmission in any case in which this capability exists and I appear as attorney of record. I understand that this electronic transmission will be in lieu of notice by mail. The following telephone number is dedicated for facsimile transmission:

Fax Phone # _____ Firm Name _____

Phone # _____ Attorney Name _____

State Bar # _____ Street Address _____

Signature _____ City, State, Zip _____

List of my active Cases: _____